

10 October 1985

MEMORANDUM FOR THE RECORD

SUBJECT: Access to State & Local Government Records  
Provision - Conversation with Representative Kasich's  
Staff Concerning H.R. 3519

1. On 9 October, 1985, I called Mike Lofgren, Legislative Assistant to Representative John Kasich. The purpose of my call was to obtain background information concerning Representative's Kasich's introduction on 7 October 1985 of H.R. 3519. This bill gives the Agency, the Department of Defense and the Office of Personnel Management access to state and local government criminal records for purposes of personnel background investigations and is identical to Title VIII of S. 1271, the Intelligence Authorization Act.
2. Mr. Lofgren indicated that Representative Kasich had had several discussions with a Mr. O'Brien of the Department of Defense, Defense Investigative Service (DIS). Mr. O'Brien had told Representative Kasich of the problems DIS encounters in attempting to conduct background investigations. Representative Kasich had concluded, on the basis of these discussions, that legislative relief was appropriate. He therefore determined to introduced a House companion to Senator Nunn's original Senate Bill on this subject, S. 1347. At the time, however, Representative Kasich was unaware that the provision in question had already been included in S. 1271, which, in turn, had been passed by the Senate and was awaiting conference.
3. I suggested that Mr. Lofgren get in touch with the House Permanent Select Committee on Intelligence to discuss the matter.
4. Upon its introduction, H.R. 3519 was referred to four committees: HPSCI, Armed Services, Post Office and Civil Service and Judiciary. The referral is a formal recognition that each of these four committees can legitimately claim jurisdiction over the bill's subject matter. This, in turn, means that they can claim jurisdiction over S. 1271, too, insofar as it contains a provision on the subject. Such claims of jurisdiction have the potential to complicate the conference on S. 1271 by bringing three new committees into that process,

two of which, Post Office and Civil Service and Judiciary, are potentially hostile. Their hostility is, of course, in addition to the "concerns" over the provision already expressed by the HPSCI

5. One of those committees, in fact, has already taken steps to inject itself into the process: in a conversation with Mr. David Addington of the HPSCI on an unrelated matter, Mr. Addington indicated that Post Office and Civil Service has notified HPSCI that it wishes to be involved in the conference on S. 1271 insofar as this provision is concerned.

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